

Section-by-Section

Section 1: Short Title

- Health Care Protection Act

Section 2: Sense of Congress

- COVID-19 has caused individuals to lose employer-sponsored health insurance at no fault of their own, and these individuals should not be forced to cover additional costs to maintain that coverage.
- Employers should use all available tools to bring individuals back on payroll and individuals should receive assistance equal to that received while employed so that there is not a disincentive to return to work.

Section 3: American Health Exchanges Special Enrollment Period

- Creates a 30-day special enrollment period on the ACA exchanges for individuals who are eligible for coverage but is not enrolled.

Section 4: Premium Assistance for COBRA Benefits

- Provides 6 months of COBRA premium assistance in the amount that equals what the individual's former employer paid for coverage.
 - Effectively, the individual does not pay more for COBRA benefits than the individual paid for coverage while employed.
- The benefit is available starting after enactment through January 1, 2021.
- Assistance eligible individuals are those who elect COBRA coverage following involuntary termination from his or her job between the dates of March 1, 2020 and December 31, 2020.
- Provides that an individual who declined COBRA continuation but now wants it because of the subsidy may apply within 60 days of enactment.
- Premium assistance does not qualify as income for purposes of determining eligibility or assistance for other federal and state programs.
- Provides an appeals process for individuals denied coverage.
- Provides rules by which individuals must be notified of premium assistance.
- Provides for a report to Congress on the number of individuals receiving assistance and the cost incurred.
- The subsidy is provided to the person who receives the premiums for coverage in the form of a refundable payroll tax credit.
- Provides for reimbursement equal to the amount of premium assistance if an individual has already enrolled in COBRA coverage and paid the full premium in the first and second month of coverage.
- Subsidy phases out for individuals with income exceeding \$125K (\$145K phased out) for individuals and \$250K (\$290K phased out) for joint returns.